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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,965	03/30/2004	Shinichiro Fukushima	500.43711X00	2890

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EXAMINER

SONG, JASMINE

ART UNIT	PAPER NUMBER
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2188

MAIL DATE	DELIVERY MODE
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05/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/811,965

Applicant(s)

FUKUSHIMA ET AL.

Examiner

Jasmine Song

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6 and 8-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6,8 and 9 is/are allowed.
- 6) ☒ Claim(s) 1,3-5 and 10-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03/30/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Specification

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

2. Claim 8 is objected to because of the following informalities:

in claim 8, Examiner suggests "A portable terminal comprising: an information receiving module to receive said predetermined information transmitted by the management apparatus described in Claim 6;" change to – A portable terminal according to Claim 6, further comprising: an information receiving module to receive said predetermined information transmitted by the management apparatus --.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1,3-5,10-19 rejected under 35 U.S.C. 103(a) as being unpatentable over Arisawa et al., US 2004/0035930 A1, in view of Nakamura et al., US 2002/0116343 A1.

Regarding claims 1 and 19, Arisawa teaches a portable terminal comprising:

an IC card mounting module to mount selected one of a non-contact and a non-contact/contact IC card (Fig.1 or 2 or Fig.5);

a memory module (a memory 104 as shown in Fig.5) to store conditions for a corresponding operation;

a module (it is taught as a digital control unit 103) to detect that said IC card has been accessed; and

a module (it is taught as a program control unit 111) to perform a predetermined corresponding operation in a case where information acquired from the IC card satisfies said conditions for the corresponding operation (section 0051-0052; section 0074 to section 0077).

Arisawa does not specifically teach a module to access the IC card at a predetermined timing to acquire and check IC card information from the IC card.

However, Nakamura teaches a module to access the IC card at a predetermined timing to acquire and check IC card information from the IC card (section 0286).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Nakamura into Arisawa's system such as a module to access the IC card at a predetermined timing to acquire and check IC card information from the IC card because the electronic ticket assignment history is centrally managed in the electronic ticket platform center, the authenticity of the assigned

information can be easily verified by referring to the assignment log (In Nakamura, section 0286).

Accordingly, one of ordinary skill in the art would have recognized this and concluded that they are from the same field of endeavor. This would have motivated one of ordinary skill in the art to implement the above combination for the advantages set forth above.

Regarding claim 3, Arisawa teaches comprising an access detection module which detects a communication between said IC card and an external device (section 0064, first two lines)

Regarding claim 4, Arisawa teaches comprising an access corresponding operation module which transmits and receives data between said IC card and a management apparatus for executing a predetermined process (section 0074).

Regarding claim 5, Arisawa teaches comprising an access corresponding operation module to set the conditions for the corresponding operation including a change amount and a change item of the IC card information on the one hand and a particular corresponding operation on the other hand (section 0075 to section 0077).

Regarding claim 10, Arisawa teaches said corresponding operation module performs selected one of an operation of charging an SF value and an operation of

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renewing a validity period of a commuter pass (it is taught as the IC card has a function for varying the load according to data to be returned to the card reading and writing apparatus).

Regarding claim 11, Arisawa teaches comprising an access corresponding operation module which identifies a user as required (section 0051).

Regarding claim 12, Arisawa teaches the user is identified only after a predetermined operation is performed a specified number of times or only when the operation of specific contents is performed (section 0051).

Regarding claim 13, Arisawa teaches the user is identified by selected one of an ID, a password, fingerprints, an iris, a voice, face features and any combination thereof (section 0058).

Regarding claim 14, Arisawa teaches an IC card management method for managing an IC card mounted in a portable terminal based on card information of said IC card, comprising:

acquiring the card information of said IC card from said IC card (it is taught as amount information such as prepaid electronic money or electronic ticketing within the portable terminal; section 0052, last two lines and section 0053 to section 0054); and

comparing said acquired card information (information in the IC card) with predetermined conditions for a corresponding operation (ticket checker) and in a case where said card information satisfies said conditions for the corresponding operation, causes said portable terminal to perform the operation corresponding to said card information (section 0050).

Arisawa does not specifically teach accessing the IC card from the portable terminal at a predetermined timing.

However, Nakamura teaches accessing the IC card from the portable terminal at a predetermined timing (section 0286).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Nakamura into Arisawa's system such as accessing the IC card from the portable terminal at a predetermined timing because the electronic ticket assignment history is centrally managed in the electronic ticket platform center, the authenticity of the assigned information can be easily verified by referring to the assignment log (In Nakamura, section 0286).

Accordingly, one of ordinary skill in the art would have recognized this and concluded that they are from the same field of endeavor. This would have motivated one of ordinary skill in the art to implement the above combination for the advantages set forth above.

Regarding claim 15, Arisawa teaches said card information is an outstanding SF value acquired from said portable terminal through a ticket checking machine, and

wherein said corresponding operation is to charge the SF value on said IC card (Fig.1 and section 0050-0051).

Regarding claim 16, Arisawa teaches said card information is a validity period of a commuter pass acquired from said portable terminal through a ticket checking machine, and wherein said corresponding operation is to notify said validity period of said commuter pass in said portable terminal (it is taught as allowing the user to walk through the ticket gate after billing and authentication checks, section 0051).

Regarding claim 17, Nakamura teaches said predetermined timing is a time when said IC card communicates with an external device (section 0286).

Regarding claim 18, Arisawa teaches said external device is a ticket checking machine (Fig.1 and 2).

Allowable Subject Matter

5. Claims 6 and 8-9 are allowed.

Response to applicant's Arguments

6. Applicant's arguments with respect to claims 1-6,8-16 have been considered but are moot in view of the new ground(s) of rejection.

7. When responding to the office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections. See 37 C.F.R. 1.111 (c).

8. When responding to the office action, Applicants are advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist examiner to locate the appropriate paragraphs.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasmine Song whose telephone number is 571-272-4213. The examiner can normally be reached on 7:30-5:30 (first Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Sough can be reached on 571-272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jasmine Song

Patent Examiner

May 14, 2007